

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

J & N REALTY CO. INC.)	
)	
COMPLAINANT)	
)	
VS.)	CASE NO. 92-332
)	
BLUE SKY SEWER SERVICE CO., INC.)	
)	
DEFENDANT)	

O R D E R

Blue Sky Sewer Service Co., Inc., having answered the complaint of J & N Realty Co., Inc. and it appearing that issues of law and fact are in dispute, the Commission finds that a formal hearing in this matter should be held and a procedural schedule should be established.

IT IS THEREFORE ORDERED that:

1. A formal hearing in this matter shall be held in Hearing Room 1 of the Commission's offices at 730 Schenkel Lane, Frankfort, Kentucky, beginning at 10:00 a.m., Eastern Standard Time, on November 23, 1992 and continuing until completed.

2. Each party may, on or before September 21, 1992, serve upon any other party a request for production of documents and written interrogatories to be answered by the party served within 14 days of service.

3. Each party may, on or before October 19, 1992, serve upon any other party a supplemental request for production of

documents and supplemental written interrogatories to be answered by the party served within 7 days of service.

4. Each party may, on or before November 2, 1992, serve upon any other party a written request for admission, for purposes of this proceeding only, of the truth of any matters relevant to this proceeding set forth in the request that relate to statements or opinions of fact or of the application of law to fact. The matter is admitted unless within 7 days after service of the request, the party to whom the request is directed serves a written answer or objection upon the requesting party. The form of the request for admission and the answer or objection thereto shall otherwise be governed by Kentucky Civil Rule 36.

5. Each party shall, no later than November 16, 1992, submit a prehearing memorandum which (a) identifies factual and legal issues to be presented, (b) lists all witnesses in the order in which they will testify on direct examination, (c) lists the qualifications of any expert witnesses, and (d) summarizes each witnesses' expected testimony.

6. Each party shall, no later than November 16, 1992, serve upon all other parties a list and copy of all exhibits which it will introduce at the formal hearing. All exhibits shall be marked for identification.

7. All preliminary motions and objections, other than objections to exhibits, shall be made no later than November 16, 1992.

8. Copies of all documents served upon any party shall be served upon all other parties and 10 copies of such documents shall be filed with the Commission.

Done at Frankfort, Kentucky, this 4th day of September, 1992.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:



Executive Director